IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 66010-M of 2005

DATE OF DECISION : 07.09.2006

Gagandeep Singh

.... PETITIONER

Versus

State of U.T. Chandigarh

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Naveen Malik, Advocate,
for the petitioner.

Mr. D.D. Sharma, Advocate,
Standing Counsel for U.T. Chandigarh.

Ms. Saloni Sharma, Advocate,
for the complainant.

* * *

Petitioner Gagandeep Singh, apprehending his arrest in a non-bailable offence in case FIR No. 386 dated 1.10.2005 under Section 420 IPC, registered with Police Station Sector 39, Chandigarh, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

2. I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 31.10.2005, passed by Addl. Sessions Judge, Chandigarh, whereby bail application of the petitioner has been dismissed.

3. Counsel for the petitioner contends that the allegations levelled in the aforesaid FIR are false. The complainant has already filed a complaint against the petitioner under Section 138 of the Negotiable Instruments Act for dishonoring of two cheques. He further submits that on January 31, 2006, a pronote of Rs. 10,000/- was handed over to counsel for the complainant. Counsel for the respondent-State states that in terms of the

order dated April 18, 2006, the petitioner has not joined the investigation. On the other hand, counsel for the petitioner states that on earlier occasion, the petitioner had joined the investigation and he is still ready to join the investigation.

4. In view of the above, without expressing any opinion on the merits of the case, this petition is allowed and the interim anticipatory bail granted vide order dated December 16, 2005, is made absolute subject to the same terms and conditions.

September 07, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**